

SENATE BILL 1333

By Watson

AN ACT to amend Tennessee Code Annotated, Section 2-5-151, relative to petitions for recall, referendum or initiative.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-5-151, is amended by deleting subsection (d) and substituting instead the following:

(d) Petitions shall be signed by at least ten percent (10%) of those registered to vote in the municipality or county. If the recall is being filed against an office holder who represents a district smaller than the entire municipality, including, but not limited to, a city councilman or town council person, then the petition shall be signed by at least ten percent (10%) of those registered to vote in that respective district. The disqualification of one (1) or more signatures shall not render a petition invalid, but shall disqualify such signatures from being counted towards the statutory minimum number of signatures required in this section.

SECTION 2. Tennessee Code Annotated, Section 2-5-151(e), is amended by deleting subdivision (4) and substituting instead the following:

(4) The date of each signature; and

(5) The original petition must be filed with the county election commission on regular letter or legal sized paper and clearly typed in the correct format. The election commission may accept signed copies of the petition that vary in size, published in papers, post card format or downloaded from the Internet provided that such petitions with signatures contain the exact language as first approved by the election commission. The approved question, any explanation of the petition and format must be clearly the

same petition as approved. Second pages or back of pages that do not contain the exact question or explanation and grounds shall not be approved signatures. The question and any explanation for the petition as approved by the election commission must be clearly seen on the same page as the signatures, not on the reverse side or a different page.

SECTION 3. Tennessee Code Annotated, Section 2-5-151, is further amended by deleting subsection (f) and substituting instead the following:

(f)

(1) Completed petitions shall be filed with the county election commission within ninety (90) days after final certification by the county election commission as required by subsection (c).

(2) In addition, a petition for recall, referendum or initiative shall be filed at least ninety (90) days before any state, federal, municipal or county election may be held on the question contained in such petition. The question contained in a petition filed less than ninety (90) days before an upcoming general municipal or county election will be placed on the ballot of the following, state, federal, municipal or county election.

SECTION 4. Tennessee Code Annotated, Section 2-5-151(j), is amended by deleting the language "which is enacted after July 1, 1997"

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.